

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
POWER COMPANY FOR (1) A GENERAL	)	
ADJUSTMENT OF ITS RATES FOR ELECTRIC	)	
SERVICE; (2) AN ORDER APPROVING ITS	)	
2017 ENVIRONMENTAL COMPLIANCE PLAN;	)	CASE NO.
(3) AN ORDER APPROVING ITS TARIFFS AND	)	2017-00179
RIDERS; (4) AN ORDER APPROVING	)	
ACCOUNTING PRACTICES TO ESTABLISH	)	
REGULATORY ASSETS AND LIABILITIES;	)	
AND (5) AN ORDER GRANTING ALL OTHER	)	
REQUIRED APPROVALS AND RELIEF	)	

ORDER

On April 19, 2021, Kentucky Power Company (Kentucky Power) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for portions of Kentucky Power's Fixed Resource Requirement/Reliability Pricing Model (FRR/RPM) election analysis for a period ending June 1, 2021. The designated material includes the analyses and FRR/RPM elections made by Kentucky Power and other American Electric Power Company, Inc. (AEP) operating companies that operate in the PJM Interconnection LLC (PJM) Base Residual Auction of the PJM 2022/2023 planning year.

In support of its motion, Kentucky Power states that premature disclosure of the FRR/RPM election analysis would unfairly prejudice Kentucky Power, its customers, and AEP operating companies by permitting competitors to change their bidding strategy in response to the designated material. Kentucky Power further states that the FRR/RPM

election analysis will become publicly available after June 1, 2021, and thus the need for confidential protection will no longer exist after that date.

The Commission notes that the same type of FRR/RPM analysis was granted confidential treatment in an Order entered May 4, 2018, in this proceeding.

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for a period ending June 1, 2021, or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Kentucky Power shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Kentucky Power shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Kentucky Power

is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.

6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no longer qualifies for confidential treatment in order to allow Kentucky Power to seek a remedy afforded by law.

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By the Commission

Vice Chairman Kent A. Chandler did not participate in the deliberations or decision concerning this case.



ATTEST:

  
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Executive Director

Case No. 2017-00179

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